

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-1E-01, 5C-04-1
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Education Records		
POLICY NUMBER: DJJ 725.2		
TOTAL PAGES: 2		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown	, COMMISSIONER	

I. POLICY

Federal and state laws and regulations shall govern the confidentiality, maintenance, handling and access of education records.

II. APPLICABILITY

This policy shall apply to all DJJ regional juvenile detention centers.

III. DEFINITIONS

Not Applicable

IV. PROCEDURES

- A. DJJ staff may assist education staff in obtaining records when feasible.
- B. The Individual Client Record (ICR) may include academic information.
- C. No person, including education personnel, authorized to obtain records pursuant to KRS Chapter 600 to 645 shall obtain or attempt to obtain records to which she or she is not entitled or for purposes for which she or she is not permitted.
- D. No person, including education personnel, not authorized to obtain records pursuant to KRS Chapter 600 to 645 shall obtain or attempt to obtain records that are made confidential pursuant to KRS Chapter 600 to 645 except upon proper motion to a court of competent jurisdiction.
- E. No person shall destroy or attempt to destroy any record that is required to be kept unless the destruction is permitted by state law and is authorized by the court upon proper motion and good cause for the destruction being shown.
- F. Release of the youth's Individual Client Record (ICR), including behavior management, medical, dental, mental, or psychological reports is prohibited unless presented as evidence in court pursuant to an authorization or otherwise in accordance with law. No person, including school personnel, shall disclose

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any report or information contained therein except as permitted by specific order of the court authorization or law.

- G. Reports from any evaluations or reevaluations to determine if a youth has a suspected disability become part of the youth due process record and shall be released to the next agency providing education services.

V. MONITORING MECHANISM

The DJJ Education Branch Manager or designee, the Quality Assurance Branch, the Regional Facilities Administrator, the superintendent of the regional juvenile detention center, and the school administrator shall monitor these activities. Monitoring shall be conducted at least annually.